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**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Notice of Ex Parte Communication  
*Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket Nos. 13-236, 2014  
*Quadrennial Regulatory Review - Review of the Commission's Broadcast Ownership Rules and Other Rules Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket Nos. 14-50, 09-182, 07-294, 04-256; *Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services*, MB Docket No. 14-261

Dear Ms. Dortch:

On February 21, 2017, Perry A. Sook, President and Chief Executive Officer of Nexstar Media Group, Inc. ("Nexstar"); Elizabeth Ryder, Executive Vice President & General Counsel of Nexstar; and Richard E. Wiley and Richard J. Bodorff of Wiley Rein, LLP met separately with (1) Chairman Ajit Pai and Alison Nemeth; (2) Commissioner Mike O'Rielly and Robin Colwell; (3) Commissioner Mignon Clyburn and David Grossman; and (4) Michelle Carey, Barbara Kreisman, David Brown, Brendan Holland, Chad Guo, and MaryBeth Murphy.

During the meetings, Mr. Sook discussed Nexstar's recent merger with Media General, Inc., identifying those of its merger commitments that it has already completed, and explaining how Nexstar is furthering its unwavering commitment to delivering exceptional services to the local communities where it operates.

Mr. Sook also discussed issues raised in petitions for reconsideration regarding the UHF discount that applies under the national television ownership cap and the local television ownership rule. With respect to the UHF discount, Mr. Sook noted that the FCC improperly reviewed the discount separately instead of conducting a holistic review of the discount along with the national television ownership cap. With regard to the local television ownership rule, Mr. Sook emphasized that the Commission should broaden its analysis beyond local television stations because stations compete today with multitudes of other forms of communication that allow consumers to access content anywhere, at any time, and on any platform. In this regard, Mr. Sook provided the meeting attendees with the attached chart, prepared by BIA Kelsey, which confirms that local television stations compete with a number of other media for local advertising revenue. Mr. Sook also explained that the Commission's top-four rule is flawed because it rests on the



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inaccurate assumption that owners of two top-four television stations in a market will have less of an incentive to invest in service to their viewers through high-quality programming and local news. In addition, Mr. Sook explained that the eight voices test is unsound, particularly given that less than half of the markets in the country have enough voices to permit duopolies under current rules. Mr. Sook suggested that a revised rule might allow ownership of two television stations in markets with four or more stations (e.g. up-to-half), as under the local radio ownership rule,<sup>1</sup> and that antitrust review would function as a backstop to address specific transactions. Mr. Sook also noted that the FCC's decision to consider television joint sales agreements ("JSAs") as attributable interests improperly failed to take into account the many public interest benefits that JSAs can produce.

Mr. Sook also discussed Nexstar's strong commitment to ownership diversity, noting that as a result of divestitures arising from three recent transactions it has contributed substantially to minority and female ownership diversity. Mr. Sook voiced support for efforts to increase the Commission's ability to increase broadcast station ownership by minorities and women, including by supporting reinstatement of the minority tax certificate program. During the meeting with Commissioner Clyburn and her staff, Mr. Sook also discussed his openness to considering whether an incubator program could further enhance opportunities for diverse owners to enter and succeed in the broadcast industry.

Finally, during each meeting Mr. Sook discussed developments regarding negotiations for over-the-top providers' carriage of local broadcast signals from the perspective of Nexstar's network-affiliated stations.

Respectfully submitted,

/s/Eve Klindera Reed

Eve Klindera Reed

cc (by email): Ajit Pai  
Michael O'Rielly  
Mignon Clyburn  
Michelle Carey  
David Brown  
Chad Guo

Alison Nemeth  
Robin Colwell  
David Grossman  
Barbara Kreisman  
Brendan Holland  
MaryBeth Murphy

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<sup>1</sup> See 47 C.F.R. § 73.3555(a)(1)(iv).



## Nationwide Overview

### Local Revenue (\$Millions) by Media 2015-2019 Market

Categories	2015	2016	2017	2018	2019
Direct Mail	37,910.0	36,891.7	37,088.9	37,173.2	37,181.3
<b>Television OTA</b>	<b>18,580.8</b>	<b>20,827.0</b>	<b>19,809.6</b>	<b>21,138.1</b>	<b>20,745.4</b>
Television Online	921.2	1,041.9	1,165.8	1,299.4	1,437.3
Newspaper Print	14,758.3	13,707.1	12,797.0	12,137.7	11,535.6
Newspaper Online	3,511.1	3,686.7	3,852.6	4,006.7	4,146.9
Radio OTA	14,021.0	14,165.0	14,275.0	14,408.0	14,529.0
Radio Online	955.2	1,204.8	1,417.9	1,627.1	1,839.2
Print YP	3,007.5	2,444.1	1,987.6	1,620.1	1,317.5
Online	15,629.0	17,272.0	18,763.6	20,250.1	21,745.8
Out-Of-Home	7,821.5	8,072.7	8,316.3	8,576.1	8,808.8
Magazines Print	1,607.5	1,489.5	1,391.1	1,309.3	1,241.9
Magazines Online	378.5	424.4	474.9	533.8	594.0
Cable TV	6,480.6	7,353.9	7,052.9	7,525.2	7,259.2
Internet YP	2,210.9	2,340.5	2,465.0	2,596.1	2,731.6
Email	2,389.6	2,566.3	2,714.8	2,842.7	2,968.2
Mobile	9,821.7	12,834.8	16,253.0	20,476.9	24,798.1
<b>TOTAL</b>	<b>140,004.2</b>	<b>146,322.4</b>	<b>149,825.8</b>	<b>157,520.3</b>	<b>162,879.8</b>
<b>OTA TV%</b>	<b>13.3%</b>	<b>14.2%</b>	<b>13.2%</b>	<b>13.4%</b>	<b>12.7%</b>